

Application No.: 10/087,127

2

Docket No.: 488422000600

REMARKS

Claims 1-32 are pending in this application. The Office Action set forth a restriction requirement between the following groups:

Group I: Claims 1-14, drawn to a stent delivery assembly, classified in class 606, subclass 194; and

Group II: Claims 15-32, drawn to a method of delivering a stent in a body organ, classified in class 623, subclass 1.11.

Applicants provisionally elect Group I, claims 1-14 with traverse, as indicated below. Applicants expressly reserve the right under 35 U.S.C. § 121 to file a divisional application directed to the non-elected subject matter during the pendency of this application, or an application claiming priority from this application:

In addition, the Office Action sets forth an election of species requirement as follows:

- Species 1: Figs. 1A, 2-3
- Species 2: Figs. 1B, 5
- Species 3: Fig. 4
- Species 4: Figs. 6A-6C
- Species 5: Figs. 7A-7C

Applicants provisionally elect Species 1: Figs. 1A, 2-3 with traverse. This election is readable on claims 1-3 and 7-12.

The election of Group I and Species 1 is made with traverse on the basis that a search inclusive of claims 1-32 does not impose a serious search burden on the Examiner. *See* MPEP 803. Applicants submit that a search for art describing a stent delivery assembly having an elongate wire

pa-893380

Application No.: 10/087,127

3

Docket No.: 488422000600

and a radially expandable stent on the distal end of the wire will inevitably also encompass art describing variations of the wire. Likewise, a search directed to radially expandable stents almost certainly will also encompass art describing methods of delivering the stent in a hollow body organ in the same publication. Accordingly, Applicants submit that claims 1-32 should be examined together.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 488422000600. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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